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# County of Los Angeles CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN  
Chief Administrative Officer

Board of Supervisors

GLORIA MOLINA  
First District

YVONNE BRATHWAITE BURKE  
Second District

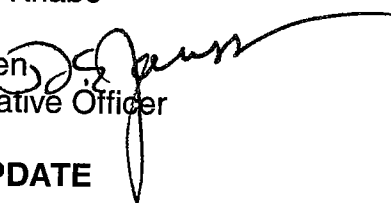
ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

June 26, 2001

To: Supervisor Michael D. Antonovich, Mayor  
Supervisor Gloria Molina  
Supervisor Yvonne Brathwaite Burke  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe

From: David E. Janssen,   
Chief Administrative Officer

## FEDERAL LEGISLATIVE UPDATE

As Congress approaches a week-long recess beginning this Friday, the pace of its legislative schedule has picked up slightly, with floor action on a Federal Fiscal Year (FFY) 2001 supplemental appropriations bill and committee mark ups on some FFY 2002 spending measures.

**FFY 2001 Supplemental Appropriations:** Last week, the House passed a \$6.5 billion supplemental appropriations bill (H.R. 2216) for the remainder of Federal Fiscal Year (FFY) 2001. Most of the funding (\$5.5 billion) is slated for defense. The bill also includes \$300 million for the Low Income Home Energy Assistance Program (LIHEAP). Due to procedural rules, an attempt in the House to rescind \$359 million from FFY 2001 Workforce Investment Act (WIA) programs was unsuccessful. The County's Department of Community and Senior Services estimates that the rescission would have meant a loss to County WIA programs of nearly \$4 million, representing a 14 percent cut.

The Senate Appropriations Committee marked up its version of the supplemental appropriations bill, and may consider it on the floor this week. The bill includes a provision offered by Senator Harkin (D-IA) rescinding \$207 million in FFY 2001 WIA Dislocated Worker funds to help finance increases in LIHEAP and education programs. The National Association of Counties and the County are opposing proposed funding cuts in WIA, which is one of the County's appropriations priorities identified in the Federal Legislative Agenda adopted by your Board on February 6, 2001. The County also opposes the rescission of WIA funds to pay for increased funding for LIHEAP because it would result in a net Federal revenue loss for California. The State receives over 17 percent of all WIA Dislocated Worker funds, but only about 4.5 percent of all LIHEAP funds.

**FFY 2002 Commerce/Justice/State (CJS) Appropriations:** House Appropriations Subcommittee action on the FFY 2002 CJS Appropriations bill may occur later this week. The County's Washington advocates have been urging the House to increase funding for the State Criminal Alien Assistance Program (SCAAP). Staff to Representative Roybal-Allard, who serves on the subcommittee, have been working closely with the County's Washington advocates on the issue. No information is available to date on the proposed funding level for SCAAP.

**FFY 2002 Interior Appropriations:** Last week the House passed a FFY 2002 bill funding Interior programs (H.R. 2217). Within the measure are provisions increasing funding for land and conservation programs. It provides the fully authorized level of funding of about \$1.32 billion for conservation, which is \$121 million more than FFY 2001 and \$64 million over the President's request. Included in the allocation are funds for Federal land acquisition (\$390 million); state land acquisition grants (\$154 million); state wildlife grants (\$100 million); landowner incentive and stewardship grants (\$60 million); and urban parks, forests and historic preservation (\$150 million). To date, no schedule has been set in the Senate for the bill.

**FFY 2002 Transportation Appropriations:** Last week the House Appropriations Committee marked up the FFY 2002 Transportation Appropriations bill (H.R. 2299). It includes several provisions to address the problem of airline delays. The bill fully funds the "Free Flight" program and raises funding for the "Safe Flight 21" program. These programs develop technologies which provide information to pilots on their proximity to other aircraft and reduce the possibility of runway incursions, respectively. The measure also includes a general provision allowing the Federal Aviation Administration to receive funds from airports for the agency to hire staff to expedite the review of major capacity enhancement projects, such as runways. It also provides \$1 million to analyze and create models to reduce separation standards between aircraft, a proposal raised by air traffic controllers in hearings this year. House floor action may occur before the July 4<sup>th</sup> recess. No date has been set for Senate consideration.

**Energy:** The Federal Energy Regulatory Commission's (FERC) unanimous decision last week to impose price restrictions in 11 western states has lessened the pressure to move federal legislation imposing price caps. Senator Feinstein (D-CA) has announced that she will not push consideration of her bill, S. 764, to impose 'just and reasonable' rates. Some House Democrats may continue to try to attach price cap provisions to other bills during the summer, but it is highly unlikely that those attempts will succeed.

**State Criminal Alien Assistance Program (SCAAP):** The Washington Office arranged a number of Congressional and Administration visits on SCAAP last week for officials

from the County Sheriff's Department. Meeting topics included increasing SCAAP funding, the Justice Department's methodology for awarding SCAAP funds, and providing additional INS personnel in the County's jail to identify deportable aliens. For your information, the application deadline for FFY 2001 SCAAP funds is July 16, 2001. My staff is working with Sheriff's Department staff to maximize FFY 2001 SCAAP revenue to the County.

**Juvenile Justice:** The House Education and Workforce Subcommittee on Select Education marked up a juvenile justice reauthorization bill (H.R. 1900) last week. The bill would reauthorize the Juvenile Justice and Delinquency Prevention Act. The measure would replace the current Title V prevention block grant, currently funded at \$45 million, with a \$250 million grant that has a broader scope of allowable activities. The current grant is dedicated solely to prevention activities.

Full committee mark up may occur in July. The Senate is not expected to consider a bill until the House completes its action. During the last session, Congress failed to complete action on juvenile justice legislation due to gun control issues.

**State Children's Health Insurance Program (SCHIP):** Last week the Department of Health and Human Services announced the amounts redistributed from the unexpended SCHIP fund balances from FFY 1998. The notice implements the provision in last year's P.L. 106-554 supported by your Board, which, in effect, allows states to retain more of their unexpended FFY 1998 allotments. According to the notice, California had not spent \$597.6 million of its \$854.6 million FFY 1998 SCHIP allotment by the end of FFY 2000. Of the \$597.6 million in unexpended funds, California is allowed to retain \$386.0 million for future use while \$211.7 million was reallocated to states which had spent their entire FFY 1998 allotments. Without the enactment of P.L. 106-554, the State would have lost the entire \$597.6 million in unspent funds. The SCHIP funding notice was published in the Federal Register on June 21, 2001.

#### **Pursuit of County Position on Legislation**

**H.R. 2107 (Lipinski, D-IL): "End Gridlock at Our Nation's Critical Airports Act":** As introduced on June 7, 2001, H.R. 2107 would preempt State and local laws which otherwise could delay airport development and construction. It would prohibit state or local governments from enacting or enforcing a law that either requires a certificate of approval before the construction or operation of an airport development project at an airport, which has at least .25 percent of the total annual boardings in the U.S., if the project meets certain standards established by the Secretary of Transportation, or

Each Supervisor  
June 26, 2001  
Page 4

prohibits, conditions, or otherwise regulates the application for use of funds for an airport development project if the project meets such standards.

This bill is aimed at preempting the ability of the Governor of Illinois to approve or deny airport development at Chicago's O'Hare Airport, but it also could affect the ability of state and local governments to regulate airport development at Los Angeles International Airport (LAX), which, along with O'Hare Airport, is among the nation's busiest airports. Based on policies included in the County's Federal Agenda of February 6, 2001 to oppose proposals which preempt local land use decision-making or the ability of local governments to determine appropriate land use within their jurisdiction, **our Washington D.C. advocates will oppose H.R. 2107.**

We will continue to keep you advised of any new developments.

DEJ:GK  
RT:TJ:MT:md

c:     Executive Officer, Board of Supervisors  
        County Counsel  
        All Department Heads  
        Legislative Strategist